In the High Court of Punjab and Haryana at Chandigarh

…

C.W.P.No.8069 of 2005

Date of decision:20.11. 2006

Punjab State Forest Service Officers Association ..Petitioners

Versus

State of Punjab and another .Respondents

Coram: **Hon'ble Mr.Justice J.S.Khehar**
Hon'ble Mr.Justice S.D.Anand

Present: Mr.Vipin Mahajan,Advocate
for the petitioners
Mr.B.S.Chahal,AAG,Punjab
for the respondents.

J.S.Khehar,J.(Oral)

Through the instant writ petition, the petitioners claim fixation of their pay in terms of the recommendation made by the 4th Punjab Pay Commission vide item No.15, wherein the 4th Punjab Pay Commission recommended the scale of Rs.7880-13500 with an initial start of Rs.8000/- at the entry stage in a three tier system. It is submitted by the learned counsel for the petitioners that although the matter was placed before the Anomaly Committee and the Implementation Committee,no final decision was taken in connection therewith by either of the said committees or by the respondents. In this behalf, learned counsel for the petitioner has invited our attention to the following submissions contained in the written statement:-

> "(i) That the anomalies Committee Constituted by the Punjab Government made following recommendations in favour of the petitioner Association:-
>
> " It is recommended that Punjab Forest Service may be granted pay scale of Rs.7880-13500 with initial start of Rs.8000/- as entry scale Rs.10025-15100 with initial start of Rs.10300/- after 8 years of service in the entry scale and Rs.13125-16350 after 16 years of regular service in the entry

scale”

(ii) That the minutes of the meeting were considered in the meeting of the Implementation Committee held on 18.5.2000, but the Implementation Committee made following observations:-

“ The Committee desired that the issue may be further examined and placed before it separately.”

(iii) That before the matter was examined and placed before the Implementation Committee, the Anomalies Committee and Implementation Committees were disbanded.”

In view of the above, it is apparent that the decision in connection with the claim raised by the petitioners has never been finally adjudicated upon by the respondents. Before we take it upon ourselves to examine the controversy, we are of the view, that it would be appropriate for the respondents to consider the claim of the petitioners, as has been raised in its legal notice dated 30.3.2005(Annexure P-5), by passing a well reasoned speaking order within three months from the date of receipt of a certified copy of this order. Ordered accordingly.

Copy of the order, be supplied dasti, on payment of usual charges.

(J.S.KHEHAR)
JUDGE

November 20,2006
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(S.D.ANAND)
JUDGE